

REGISTRY OF ELECTION FINANCE

The Registry of Election Finance met Wednesday, December 13, 2006, at Suite 1614 of Parkway Towers, 404 James Robertson Parkway, Nashville, Tennessee.

Attending the meeting were board members Karen Dunavant, George Harding, William Long, John McClarty, Darlene McNeece, Lee Anne Murray and Marian Ott.

On motion by Long, seconded by Ott, the board voted to approve the minutes from the November 2, 2006 special board meeting. The motion passed the board unanimously.

On motion by Long, seconded by McNeece, the board voted unanimously to approve the minutes from the November 8, 2006 regular board meeting. The motion passed the board unanimously.

Reconsideration

06-32 Mary Pruitt, for possible violation of the campaign finance disclosure law. Class two (2), maximum ten thousand dollar (\$10,000) civil penalty. Rep. Pruitt has had no previous matters before the board.

The board voted at its October 11, 2006 meeting to assess Rep. Pruitt a \$10,000 civil penalty. Rep. Pruitt requested a reconsideration of the assessment.

Rep. Pruitt and George Barrett, representative for Rep. Pruitt, appeared before the board and provided them with a brief that addressed the issues of a possible violation of the campaign financial disclosure law. Mr. Barrett stated that the evidence in the brief shows that the property was used for campaign purposes and that the rent was at fair market value. Mr. Barrett requested that the civil penalty assessment be rescinded.

A motion was made by Long, seconded by Ott, to reconsider the \$10,000 civil penalty assessment. The motion passed the board unanimously. A motion was made by Ott to assess Rep. Pruitt a \$500 civil penalty. The motion to assess Rep. Pruitt a \$500 civil penalty died for a lack of a second. A motion was then made by Long, seconded by McNeece, to dismiss the complaint. The motion to dismiss the complaint passed the board 4 to 1, with Murray voting "no" and Dunavant and Harding "abstaining."

06-53 CWA District 3 Political Education Committee, for failure to file 2006 pre-primary campaign financial disclosure report. Class two (2), no report filed, maximum ten thousand dollar (\$10,000) civil penalty. The organization has had no previous matters before the board.

The board voted at its November 8, 2006 board meeting to assess the organization a \$250 civil penalty. The organization requested a reconsideration of the assessment.

Thelma Dunlap, representative for the organization, appeared before the board and provided them with a sworn statement for their consideration. Ms. Dunlap explained that a miscommunication in the office caused the required report to be filed late. Ms.

Dunlap further explained that once she became aware that they were in noncompliance she took prompt measures and filed the report immediately. Ms. Dunlap noted that she believed that the matter had been satisfactorily resolved once the report was filed.

On motion by McNeece, seconded by Dunavant, the board voted unanimously not to reconsider the \$250 civil penalty assessment. (McClarty not present at this time.)

Sworn Statements Submitted

06-59 State of Franklin PAC, for failure to timely file 2006 pre-primary campaign financial disclosure report. Class one (1), 20 days late, maximum five hundred dollar (\$500) civil penalty. The organization has had no previous matters before the board.

The board voted at its October 11, 2006 to issue the organization a show cause notice. The board voted at its November 8, 2006 meeting to delay any action in this matter until the next regularly scheduled meeting because the organization had not received the show cause notice.

A. G. Branscomb, treasurer for the organization, submitted a sworn statement for the board's consideration. In this statement, Mr. Branscomb explained that the failure to timely file the report was due to his failure to check the post office box on a regular basis. Mr. Branscomb further explained that he filed the required report as soon as he received the notices. Mr. Branscomb noted that the organization is closing its PAC with the Registry.

A motion was made by Ott, seconded by McNeece, to assess the organization a \$200 civil penalty. The motion to assess the organization a \$200 civil penalty passed the board 4 to 3, with Harding, McClarty and Murray voting "no."

06-66 Charles Pitman, for possible violation of the campaign finance disclosure law. Class two (2), maximum ten thousand dollar (\$10,000) civil penalty. Mr. Pitman has had no previous matters before the board.

The board voted at its October 11, 2006 to issue Mr. Pitman a show cause notice. The board voted at its November 8, 2006 meeting to delay any action in this matter until the next regularly scheduled meeting because Mr. Pitman had not received the show cause notice.

Mr. Pitman submitted a statement for the board's consideration. In this statement, Mr. Pitman explained that he failed to get the deposit slip to his campaign treasurer and that caused his report to be inaccurate. Mr. Pitman apologized for the oversight and noted that his report has been amended to show the contribution.

A motion was made by Harding to take no further action in this matter. The motion to take no further action died for a lack of a second. A motion was made by Long, seconded by Ott, to assess Mr. Pitman a \$50 civil penalty. The motion to assess Mr. Pitman a \$50 civil penalty passed the board 6 to 1, with Harding voting "no."

Cases Subject to Approval for Civil Penalty

06-40 Gary Benefield, for failure to file 2006 pre-primary campaign financial disclosure report. Class two (2), no report filed, maximum ten thousand dollar (\$10,000) civil penalty. Mr. Benefield has had no previous matters before the board.

The board voted at its October 11, 2006 to issue Mr. Benefield a show cause notice. The board voted at its November 8, 2006 meeting to delay any action in this matter until the next regularly scheduled meeting because Mr. Benefield had not received the show cause notice.

Director Rawlins informed the board that there has been no response to the show cause notice and that the report still has not been filed.

On motion by Ott, seconded by Harding, the board voted unanimously to assess Mr. Benefield a \$10,000 civil penalty.

06-45 David Garrett, Jr., for failure to timely file 2006 pre-primary campaign financial disclosure report. Class one (1), nine days late, maximum two hundred twenty-five dollar (\$225) civil penalty. Mr. Garrett has had no previous matters before the board.

The board voted at its October 11, 2006 to issue Mr. Garrett a show cause notice. The board voted at its November 8, 2006 meeting to delay any action in this matter until the next regularly scheduled meeting because Mr. Garrett had not received the show cause notice.

Director Rawlins informed the board that there has been no response to the show cause notice.

On motion by Long, seconded by McNeece, the board voted unanimously to assess Mr. Garrett a \$225 civil penalty.

06-46 Samuel Harris, for failure to file 2006 2nd quarter campaign financial disclosure report. Class two (2), no report filed, maximum ten thousand dollar (\$10,000) civil penalty. Mr. Harris has had a previous matter before the board. (See below)

The board voted at its October 11, 2006 to issue Mr. Harris a show cause notice. The board voted at its November 8, 2006 meeting to delay any action in this matter until the next regularly scheduled meeting because Mr. Harris had not received the show cause notice.

Director Rawlins informed the board that there has been no response to the show cause notice and that the report still has not been filed.

On motion by Ott, seconded by Dunavant, the board voted unanimously to assess Mr. Harris a \$10,000 civil penalty.

06-47 Samuel Harris, for failure to file 2006 pre-general campaign financial disclosure report. Class two (2), no report filed, maximum ten thousand dollar (\$10,000) civil penalty. Mr. Harris has had a previous matter before the board. (See above)

The board voted at its October 11, 2006 to issue Mr. Harris a show cause notice. The board voted at its November 8, 2006 meeting to delay any action in this matter until the next regularly scheduled meeting because Mr. Harris had not received the show cause notice.

Director Rawlins informed the board that there has been no response to the show cause notice and that the report still has not been filed.

On motion by Ott, seconded by Dunavant, the board voted unanimously to assess Mr. Harris a \$10,000 civil penalty.

06-49 Jeff Sullivan, for failure to file a 2006 mid-year supplemental campaign financial disclosure report. Class two (2), no report filed, maximum ten thousand dollar (\$10,000) civil penalty. Mr. Sullivan has had no previous matters before the board.

The board voted at its October 11, 2006 to issue Mr. Sullivan a show cause notice. The board voted at its November 8, 2006 meeting to delay any action in this matter until the next regularly scheduled meeting because Mr. Sullivan had not received the show cause notice.

Director Rawlins informed the board that Mr. Sullivan had requested that the board defer any action in his case until the January meeting to allow him a chance to respond to the show cause notice.

On motion by Long, seconded by McNeece, the board voted unanimously to defer any action in this case until the January 10, 2007 meeting to allow Mr. Sullivan an opportunity to respond to the show cause notice.

06-52 Roger Schechter, for failure to file a 2006 mid-year lobbying activities report. Class one (1), no report filed, maximum seven hundred fifty dollar (\$750) civil penalty Mr. Schechter has had no previous matters before the board.

The board voted at its October 11, 2006 to issue Mr. Schechter a show cause notice. The board voted at its November 8, 2006 meeting to delay any action in this matter until the next regularly scheduled meeting because Mr. Schechter had not received the show cause notice.

Director Rawlins informed the board that there has been no response to the show cause notice and that the report still has not been filed.

On motion by Ott, seconded by Long, the board voted unanimously to assess Mr. Schechter a \$750 civil penalty.

06-54 Hamilton County Democratic Party, for failure to file 2006 pre-primary campaign financial disclosure report. Class two (2), no report filed, maximum ten thousand dollar (\$10,000) civil penalty. The organization has had no previous matters before the board.

The board voted at its October 11, 2006 to issue the organization a show cause notice. The board voted at its November 8, 2006 meeting to delay any action in this matter until the next regularly scheduled meeting because the organization had not received the show cause notice.

Director Rawlins informed the board that there has been no response to the show cause notice and that the report still has not been filed.

A motion was made by McNeece, seconded by Ott, to assess the organization a \$10,000 civil penalty. The motion to assess the organization a \$10,000 civil penalty passed the board 5 to 1, with Harding voting "no" and McClarty "abstaining."

06-58 Perry County Republican Party, for failure to timely file 2006 pre-primary campaign financial disclosure report. Class one (1), 25 days late, maximum six hundred twenty-five dollar (\$625) civil penalty. The organization has had previous matters before the board.

The board voted at its October 11, 2006 to issue the organization a show cause notice. The board voted at its November 8, 2006 meeting to delay any action in this matter until the next regularly scheduled meeting because the organization had not received the show cause notice.

Director Rawlins informed the board that there has been no response to the show cause notice.

A motion was made by Harding to take no further action in this matter. The motion to take no further action died for a lack of a second. A motion was made by Ott, seconded by McNeece, to assess the organization a \$200 civil penalty. The motion to assess the organization a \$200 civil penalty passed the board 5 to 2, with Harding and McClarty voting “no.”

06-70 Lorrie Brouse, for failure to timely file a 2006 mid-year lobbying activities report. Class one (1), 49 days late, maximum seven hundred fifty dollar (\$750) civil penalty. Ms. Brouse has had no previous matters before the board.

The board voted at its November 8, 2006 meeting to issue Ms. Brouse a show cause notice.

Ms. Brouse submitted a statement for the board’s consideration. In this statement, Ms. Brouse explained that because she travels extensively for her job she is unable to receive her mail at the post office for unusual stretches of time. Ms. Brouse further explained that she has now filed the required report.

On motion by McNeece, seconded by Dunavant, the board voted unanimously to assess Ms. Brouse a \$200 civil penalty.

06-71 Beverly Owens, for failure to file a 2006 mid-year lobbying activities report. Class one (1), no report filed, maximum seven hundred fifty dollar (\$750) civil penalty. Ms. Owens has had no previous matters before the board.

The board voted at its November 8, 2006 meeting to issue Ms. Owens a show cause notice.

Ms. Owens submitted a sworn statement for the board’s consideration. In this statement, Ms. Owens explained that all correspondence from the Registry had been sent to her previous address. Ms. Owens further explained that the report has now been filed.

A motion was made by Long, seconded by McNeece, to assess Ms. Owens a \$250 civil penalty. The motion to assess Ms. Owens a \$250 civil penalty passed the board 6 to 0, with Ott “recusing.”

Cases Considered for Issuance of Show Cause Notice

George Banks, for failure to file 2006 pre-general campaign financial disclosure report. Class two (2), no report filed, maximum ten thousand dollar (\$10,000) civil penalty. Mr. Banks has had no previous matters before the board.

On motion by Long, seconded by Ott, the board voted unanimously to issue a show cause notice.

Richard Clark, Jr., for failure to file 2006 3rd quarter campaign financial disclosure report. Class two (2), no report filed, maximum ten thousand dollar (\$10,000) civil penalty. Mr. Clark has had no previous matters before the board.

On motion by Long, seconded by Ott, the board voted unanimously to issue a show cause notice.

Quintessa Hathaway, for failure to file 2006 3rd quarter campaign financial disclosure report. Class two (2), no report filed, maximum ten thousand dollar (\$10,000) civil penalty. Ms. Hathaway has had no previous matters before the board.

On motion by Long, seconded by Ott, the board voted unanimously to issue a show cause notice.

John Jay Hooker, for failure to timely file 2006 3rd quarter campaign financial disclosure report. Class one (1), eight days late, maximum two hundred dollar (\$200) civil penalty. Mr. Hooker has had no previous matters before the board.

On motion by Long, seconded by Ott, the board voted unanimously to issue a show cause notice.

Kelvin Jones, for failure to file 2006 3rd quarter campaign financial disclosure report. Class two (2), no report filed, maximum ten thousand dollar (\$10,000) civil penalty. Mr. Jones has had no previous matters before the board.

On motion by Long, seconded by Ott, the board voted unanimously to issue a show cause notice.

Robert Lee, for failure to file 2006 3rd quarter campaign financial disclosure report. Class two (2), no report filed, maximum ten thousand dollar (\$10,000) civil penalty. Mr. Lee has had no previous matters before the board.

On motion by Long, seconded by Ott, the board voted unanimously to issue a show cause notice.

Jimmy Logan, for failure to timely file 2006 3rd quarter campaign financial disclosure report. Class one (1), four days late, maximum one hundred dollar (\$100) civil penalty. Mr. Logan has had no previous matters before the board.

On motion by Long, seconded by Ott, the board voted unanimously to take no action in this matter.

Scott McCluen, for failure to file 2006 3rd quarter campaign financial disclosure report. Class two (2), no report filed, maximum ten thousand dollar (\$10,000) civil penalty. Mr. McCluen has had a previous matter before the board.

On motion by Long, seconded by Ott, the board voted 6 to 0 to issue a show cause notice, with McNeece "recusing."

John McDougal, for failure to timely file 2006 3rd quarter campaign financial disclosure report. Class one (1), eight days late, maximum two hundred dollar (\$200) civil penalty. Mr. McDougal has had no previous matters before the board.

On motion by Long, seconded by Ott, the board voted unanimously to issue a show cause notice.

J. C. McLin, for failure to file 2006 3rd quarter campaign financial disclosure report. Class two (2), no report filed, maximum ten thousand dollar (\$10,000) civil penalty. Mr. McLin has had no previous matters before the board.

On motion by Long, seconded by Ott, the board voted unanimously to issue a show cause notice.

Mike Meadows, for failure to file 2006 pre-general campaign financial disclosure report. Class two (2), no report filed, maximum ten thousand dollar (\$10,000) civil penalty. Mr. Meadows has had no previous matters before the board.

On motion by Long, seconded by Ott, the board voted unanimously to issue a show cause notice.

Clark Plunk, for failure to file 2006 3rd quarter campaign financial disclosure report. Class two (2), no report filed, maximum ten thousand dollar (\$10,000) civil penalty. Mr. Plunk has had no previous matters before the board.

On motion by Long, seconded by Ott, the board voted unanimously to issue a show cause notice.

Perry Stout, for failure to file 2006 3rd quarter campaign financial disclosure report. Class two (2), no report filed, maximum ten thousand dollar (\$10,000) civil penalty. Mr. Stout has had no previous matters before the board.

On motion by Long, seconded by Ott, the board voted unanimously to issue a show cause notice.

Wayne Young, for failure to timely file 2006 3rd quarter campaign financial disclosure report. Class one (1), five days late, maximum one hundred twenty-five dollar (\$125) civil penalty. Mr. Young has had no previous matters before the board.

Mr. Young submitted a statement for the board's consideration. In this statement, Mr. Young explained that his report was filed late because he miss-read the Registry's notice to file and that he had some problems with the online electronic filing system.

On motion by Long, seconded by Ott, the board voted unanimously to take no action in this matter.

I. C. Thomasson PAC, for failure to timely file 2006 pre-general campaign financial disclosure report. Class one (1), one day late, maximum twenty-five dollar (\$25) civil penalty. The organization has had no previous matters before the board.

On motion by Long, seconded by Ott, the board voted unanimously to take no action in this matter.

Morristown Professional Firefighters Assn. Local 3836 PAC, for failure to timely file 2006 pre-general campaign financial disclosure report. Class one (1), one day late, maximum twenty-five dollar (\$25) civil penalty. The organization has had no previous matters before the board.

On motion by Long , seconded by Ott, the board voted unanimously to take no action in this matter.

Tennessee Professional Firefighters PAC, for failure to timely file 2006 pre-general campaign financial disclosure report. Class one (1), two days late, maximum fifty dollar (\$50) civil penalty. The organization has had no previous matters before the board.

On motion by Long, seconded by Ott, the board voted unanimously to take no action in this matter.

TNAMB PAC, for failure to timely file 2006 pre-general campaign financial disclosure report. Class one (1), five days late, maximum one hundred twenty-five dollar (\$125) civil penalty. The organization has had no previous matters before the board.

On motion by Long, seconded by Ott, the board voted unanimously to take no action in this matter.

James Ball, Jr., for failure to timely file a 2006 year-end lobbying activities report. Class one (1), one day late, maximum twenty-five dollar (\$25) civil penalty. Mr. Ball has had no previous matters before the board.

On motion by Long, seconded by Ott, the board voted unanimously to take no action in this matter.

Lee Barfield, for failure to timely file a 2006 year-end lobbying activities report. Class one (1), two days late, maximum fifty dollar (\$50) civil penalty. Mr. Barfield has had no previous matters before the board.

On motion by Long, seconded by Ott, the board voted unanimously to take no action in this matter.

Jerry Caruthers, for failure to timely file a 2006 year-end lobbying activities report. Class one (1), one day late, maximum twenty-five dollar (\$25) civil penalty. Mr. Caruthers has had no previous matters before the board.

On motion by Long, seconded by Ott, the board voted unanimously to take no action in this matter.

Cindy Davidson, for failure to timely file a 2006 year-end lobbying activities report. Class one (1), three days late, maximum seventy-five dollar (\$75) civil penalty. Ms. Davidson has had no previous matters before the board.

On motion by Long, seconded by Ott, the board voted unanimously to take no action in this matter.

Doris Douglas, for failure to timely file a 2006 year-end lobbying activities report. Class one (1), one day late, maximum twenty-five dollar (\$25) civil penalty. Ms. Douglas has had no previous matters before the board.

On motion by Long, seconded by Ott, the board voted unanimously to take no action in this matter.

Harvey Fischer, for failure to timely file a 2006 year-end lobbying activities report. Class one (1), one day late, maximum twenty-five dollar (\$25) civil penalty. Mr. Fischer has had no previous matters before the board.

On motion by Long, seconded by Ott, the board voted unanimously to take no action in this matter.

Kevin Glasco, for failure to timely file a 2006 year-end lobbying activities report. Class one (1), ten days late, maximum two hundred fifty dollar (\$250) civil penalty. Mr. Glasco has had no previous matters before the board.

On motion by Long, seconded by Ott, the board voted unanimously to issue a show cause notice.

Anthony Gottlieb, for failure to timely file a 2006 year-end lobbying activities report. Class one (1), three days late, maximum seventy-five dollar (\$75) civil penalty. Mr. Gottlieb has had no previous matters before the board.

On motion by Long, seconded by Ott, the board voted unanimously to take no action in this matter.

Michael Leventhal, for failure to timely file a 2006 year-end lobbying activities report. Class one (1), two days late, maximum fifty dollar (\$50) civil penalty. Mr. Leventhal has had no previous matters before the board.

On motion by Long, seconded by Ott, the board voted unanimously to take no action in this matter.

Joe Majors, for failure to timely file a 2006 year-end lobbying activities report. Class one (1), two days late, maximum fifty dollar (\$50) civil penalty. Mr. Majors has had no previous matters before the board.

On motion by Long, seconded by Ott, the board voted unanimously to take no action in this matter.

Leslie Newman, for failure to timely file a 2006 year-end lobbying activities report. Class one (1), one day late, maximum twenty-five dollar (\$25) civil penalty. Ms. Newman has had no previous matters before the board.

On motion by Long, seconded by Ott, the board voted unanimously to take no action in this matter.

James Nixon, for failure to file a 2006 year-end lobbying activities report. Class one (1), no report filed, maximum seven hundred fifty dollar (\$750) civil penalty. Mr. Nixon has had no previous matters before the board.

On motion by Long, seconded by Ott, the board voted unanimously to issue a show cause notice.

Jerry Riggs, for failure to timely file a 2006 year-end lobbying activities report. Class one (1), two days late, maximum fifty dollar (\$50) civil penalty. Mr. Riggs has had no previous matters before the board.

On motion by Long, seconded by Ott, the board voted unanimously to take no action in this matter.

Chris Shaban, for failure to timely file a 2006 year-end lobbying activities report. Class one (1), nine days late, maximum two hundred twenty-five dollar (\$225) civil penalty. Mr. Shaban has had no previous matters before the board.

On motion by Long, seconded by Ott, the board voted unanimously to issue a show cause notice.

Sworn Complaint against Sen. Ketron

Director Rawlins provided the board with a sworn complaint filed against Sen. Bill Ketron that was filed with the Registry by David Stricklin. The sworn complaint alleges that Sen. Ketron violated the intent and substance of the campaign financial disclosure law by not listing the complete occupation and employer for each contributor on his third quarter campaign financial disclosure statement. In the sworn complaint, Mr. Stricklin requested that the board hold a special meeting before the general election.

A special meeting was held on November 2, 2006. At this special meeting the board voted to table the show cause motion and defer the complaint until the December meeting and to request that Director Rawlins send Sen. Ketron a letter inviting him to submit a letter to supplement the report that includes additional information about the missing occupation and employer.

Sen. Ketron appeared before the board and provided them with information explaining his attempts to get the occupation and employer from his contributors. Sen. Ketron explained that he made every effort to get each contributor's occupation and employer. Sen. Ketron further explained that he has amended his reports updating the occupation and employer for several contributions.

On motion by Long, seconded by Dunavant, the board voted unanimously to take no further action in this matter.

Reported Financial Expenses

Director Rawlins provided the board members with a list of civil penalties that have been paid year to date.

Director Rawlins presented the expenditure reports for the 2006/2007 fiscal year through October 31, 2006.

Election of Officers

A motion was made by Long, seconded by McNeece, to name John McClarty as chairperson and Karen Dunavant as secretary for 2007 by acclamation.

Executive Director's Report

Director Rawlins provided the board with a request from Marjorie Ramsey the newly elected Chair of the New Democratic Party of Cocke County. Ms. Ramsey explained that their County Democratic Party was fined in the past by the Registry for 3 different violations with civil penalty assessments totaling \$11,250. Ms. Ramsey requested an opportunity to appeal the civil penalty assessments against the organization.

The board requested that Director Rawlins refer this matter to the Attorney General to discuss the matter of the civil penalties.

Director Rawlins informed the board that statute requires the Registry to set the PAC Annual Registration Fee. Director Rawlins recommended that the PAC Annual Registration Fee be set at \$100.

On motion by McClarty, seconded by McNeece, the board voted unanimously to set the PAC Annual Registration Fee at \$100.

Other Business

Long, seconded by Murray made a motion, to adjourn the meeting until the next regularly scheduled meeting. The motion passed unanimously.